

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
LITTLE ROCK DIVISION**

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT ARKANSAS

NOV 08 2007

JAMES W. MCCORMACK, CLERK  
By: *[Signature]* DEP. CLERK

**PLAINTIFF**

**VERONICA PERKINS**

**V.**

**CASE NO. 4 - 07 - CV - 01098 JMM**

**PULASKI COUNTY SPECIAL SCHOOL DISTRICT  
JAMES SHARP, IN HIS OFFICAL CAPACITY AS  
SUPERTINDENT OF THE SCHOOL DISTRICT**

This case assigned to District Judge *[Signature]*  
and to Magistrate Judge *[Signature]*

**DEFENDANTS**

**COMPLAINT**

**I. VENUE**

1. The jurisdiction of this Court is pursuant to 28 U.S.C. § 1343. Venue is pursuant to 28 U.S.C. § 1391. The relief sought herein is provided by Title VII of the Civil Rights Act of 1964 as amended, 42 U.S.C. § 1983 and 42 U.S.C. § 2000 *et seq.*

2. The Plaintiff, Veronica Perkins has been working as an administrator for the Pulaski County School District since 2000 and brings the action to redress employment discrimination based upon her race in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000 *et seq.*, the Civil Rights Act of 1866 as amended and 42 U.S.C § 1983; and in violation of terms and conditions and privileges of her employment and in violation of 42 U.S.C. § 2000e-2(a)(1). The Plaintiff seeks compensatory damages and punitive damages based upon Defendant, Pulaski County School District and Superintendent James Sharp's action for deliberate and willful violations of 42 U.S.C. § 2000 *et seq.* and 42 U.S.C. § 1983 and for her costs, attorney's fees and any other relief to which she would be entitled under the law.

## **II. THE PARTIES**

3. The Plaintiff, Veronica Perkins is a citizen of the United States of America of African-American descent. She resides in Little Rock, Arkansas and has been employed as an administrator by the Pulaski County School District since 2000.

4. The Pulaski County Special School District is a school district in the State of Arkansas providing education mainly to students who are located in Pulaski County.

5. The Plaintiff filed a charge of discrimination with the Equal Employment Opportunity Commission (hereinafter "EEOC") on May 23, 2007 and received her Right to Sue letter about August 16, 2007. The charge of discrimination is attached hereto as Exhibit A and the Right to Sue letter attached as Exhibit 2.

## **III. ALLEGED DISCRIMINATION**

6. In April of 2007, the Plaintiff applied for a principalship at North Pulaski High School. On or about May 3, 2007, a recommendation was made by the selection committee that the Plaintiff be promoted to the position of Principal of North Pulaski High School. On or about May 8, 2007, a recommendation was made by the school superintendent to the school board that another individual, a white male, be placed in the position. The school board voted unanimously that the white male be placed in the position over and in contradiction to the recommendation of selection committee. The Plaintiff was not given a reason as to why she was denied the promotion to the position of principal.

There have been other occasions when Plaintiff has applied for principalships and was the second on the list according to the selection committee and when the

number one person refused the job, the job should have gone to the number two person which would have been the Plaintiff, however, the Plaintiff was overlooked once again and a white employee was chosen for the position.

7. The Plaintiff has performed satisfactory work since her time as an administrator with the Pulaski County School District, but yet has always been denied the opportunity for a principalship. Plaintiff believes that she has not been promoted because of her race and for retaliation for filing a previous EEOC Charge of Discrimination, charge 493-20006-2405 in violation of Title VII of the Civil Rights Act of 1964 as amended.

8. The Plaintiff asserts that the actions of the Pulaski County School District in the denial of her promotion to principalship have been in violation of Title VII of the Civil Rights of 1964 as amended and violation of 42 U.S.C. § 1983 and further in violation of 42 U.S.C. § 2000 *et seq.*

#### **IV. DAMAGES**

7. Because of the discrimination suffered, the Plaintiff requests this Court to grant the following relief;

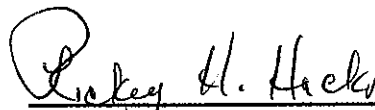
- a. A judgment declaring that the acts and practices of the Defendants are in violation of the laws that have been plead herein;
- b. Issue a permanent injunction requiring the Defendant to abolish racial discrimination and desperate treatment practices;
- c. Require the Defendant to accord Plaintiff retrospective monetary awards;
- d. Award full back pay for the loss of the principalship position;
- e. Award Plaintiff compensatory damages for mental distress, anguish and

humiliation; and

- f. Punitive damages.
- 8. Plaintiff requests a trial by jury.

**WHEREFORE**, Plaintiff asks this Honorable Court to set this matter for trial, that the Plaintiff may put forth her evidence and after which award the relief requested.

Respectfully submitted,



Rickey H. Hicks  
Attorney at Law  
Arkansas Bar Number: 89235  
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Little Rock, AR 72201  
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(501) 372-3164, facsimile  
(501) 920-7298, mobile  
[hickslawoffice@yahoo.com](mailto:hickslawoffice@yahoo.com)

**Certificate of Service**

I, Rickey H. Hicks do hereby certify that a copy of the above and foregoing pleading has been forwarded to all parties to this cause of action by placing a copy of the pleading to Bequette & Billingsley, P.A., ATTN: George (Jay) Bequette, Attorney at Law, 425 West Capitol Avenue, Little Rock, AR 72201 on this 8<sup>th</sup> day of November, 2007.



Rickey H. Hicks

**CHARGE OF DISCRIMINATION**

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):



FEPA



EEOC

**493-2007-01456**

and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

**Ms. Veronica Perkins**

Home Phone (Incl. Area Code)

**(501) 217-0005**

Date of Birth

**02-06-1972**

Street Address

City, State and ZIP Code

**20 Town Park Ct #7, Little Rock, AR 72227**

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

**PULASKI CTY SPECIAL SCHOOL DISTRICT**

No. Employees, Members

**201 - 500**

Phone No. (Include Area Code)

**(501) 490-2000**

Street Address

City, State and ZIP Code

**925 East Dixon Road, Little Rock, AR 72206**

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)



RACE



COLOR



SEX



RELIGION



NATIONAL ORIGIN



RETALIATION



AGE



DISABILITY



OTHER (Specify below.)

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

**05-08-2007**

CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

On or about May 3, 2007, a recommendation was made by the selection committee that I be promoted to the position of Principal of North Pulaski High School. On or about May 8, 2007, a recommendation was made by the school superintendent to the school board that another individual (white male) be placed in the position. The school board voted unanimously that the white male be placed in the position.

I was not given a reason as to why I was denied a promotion the Principal position.

I believe that I was not promoted because of my race, black, sex, female, and in retaliation for filing a previous charge of discrimination (EEOC Charge No. 493-2006-02405) in violation of Title VII of the Civil Rights Act of 1964, as amended.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - When necessary for State and Local Agency Requirements

I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

**May 23, 2007**

Date

*Veronica Perkins*

Charging Party Signature

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE  
(month, day, year)

RECEIVED

## DISMISSAL AND NOTICE OF RIGHTS

AUG 13 2007

To: Veronica Perkins  
20 Town Park Ct #7  
Little Rock, AR 72227

From: Little Rock Area Office  
820 Louisiana  
Suite 200  
Little Rock, AR 72201

AEA



On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

493-2007-01456

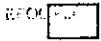
Tamra L. Glover,  
Investigator

(501) 324-5458

## THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.



Having been given 30 days in which to respond, you failed to provide information, failed to appear or be available for interviews/conferences, or otherwise failed to cooperate to the extent that it was not possible to resolve your charge.



While reasonable efforts were made to locate you, we were not able to do so.



You were given 30 days to accept a reasonable settlement offer that affords full relief for the harm you alleged.



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

## - NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

On behalf of the Commission

*Wanda C. Milton*

Wanda C. Milton,  
Area Office Director

AUG 13 2007

(Date Mailed)

Enclosures(s)

CC: James Sharpe  
Superintendent  
PULASKI CTY SPECIAL SCHOOL DISTRICT  
P.O. Box 8601  
Little Rock, AR 72206

Jay Bequette (Respondent Attorney)  
Bequette & Billingsley  
Metropolitan National Bank Tower  
425 W. Capitol  
Suite 3200  
Little Rock, AR 72201-3469